



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 23 2008

REPLY TO THE ATTENTION OF:
LR-8J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tom Safley
Senior Counsel
Environmental Health & Safety
Koch Industries Inc.
4111 East 37th Street North
Wichita, Kansas 67201

Re: Koch Pipeline Company LP Self-Disclosure, Hartford, Illinois facility

Dear Mr. Safley:

The U.S. Environmental Protection Agency is in receipt of your letters dated July 18, 2008 and August 29, 2008, in which you disclose, on behalf of Koch Pipeline Company LP, possible non-compliance with reporting requirements under RCRA. EPA appreciates Koch Pipeline Company LP's willingness to self-police, disclose, and correct violations at its facilities in a timely manner.

EPA agrees to review and consider any further supplementation of possible 2007 violations. In addition, please submit the information requested in this letter no later than November 10, 2008.

1. Corporate Structure

Please describe the corporate structure, including all parent and subsidiary corporations.

2. Audit Policy Criteria

To determine whether Koch Pipeline Company LP has met the criteria in the Audit Policy, EPA will need additional factual information specific to some of the criteria in the Audit Policy. Please provide us with all available factual information to address conditions one through nine of the Audit Policy as soon as possible, but no later than November 10, 2008. Attached to this letter is a copy of a questionnaire which includes the information needed by the EPA. (See Attachment A). If you believe you have already provided all information in response to a specific condition, please advise the EPA, in writing.

3. Facility Compliance

In addition, pursuant to the Audit Policy, we ask that you provide the following

information for each potential violation, if relevant, so that the EPA has complete information on the violations that may have occurred and on each facility's compliance record.

Facility type (if appropriate);
Facility address (street, city, state, zip code);
Date facility began operations;
Chemical(s) involved other than benzene;
Capacity of tank(s) or other equipment;
Date audit team discovered possible noncompliance;
Identify the name, title, and employer of each individual who discovered the violation;
Date EPA notified of possible noncompliance, if earlier than periodic self-disclosure;
Date potential violation corrected or estimated to be corrected;
Date remedial actions taken and/or planned to correct potential violation; and

4. Cost of Compliance

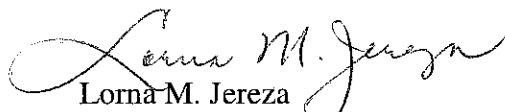
For each violation, determine the cost to return to compliance. Such costs may include internal staff or outside consultants' time to become familiar with the regulations, determining which chemicals meet/exceed reporting thresholds, preparing forms/plans/permits, submitting forms to appropriate agencies, fees collected by state or other regulatory agencies, release detection equipment, and secondary containment or start-up costs for plan implementation or tank monitoring.

Conclusion

After we have received your response, we will consider the specific violations which occurred, calculate a proposed penalty, and determine whether the Audit Policy applies. It is our goal to attempt to resolve this matter as expeditiously as possible with your cooperation. As previously mentioned, we ask that you send us the requested information as soon as possible, but no later than November 10, 2008. If at any time you determine that Koch Pipeline Company LP will need more time to provide the requested data and to come into compliance, please submit a proposed schedule and your justification for an extension of time.

EPA appreciates Koch Pipeline Company LP's willingness to timely self-police, disclose, and correct violations at its facilities. Graciela Scambiatterra, of my staff, will serve as your primary contact. Please send your submissions directly to her. If you have any questions concerning this matter, please contact her at (312)353-5103.

Sincerely,


Lorna M. Jereza
Chief, Compliance Section 1
RCRA Branch

Enclosure